

**TRIAL MINUTES OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS**

CR-07-00019

September 12, 2007  
9:00 a.m.

**United States of America -vs- Samuel Rayburn**

PRESENT: Hon. Alex R. Munson, Chief Judge  
Sanae Shmull, Court Reporter  
K. Lynn Lemieux, Courtroom Deputy  
Tina Matsunaga, Deputy Clerk  
Eric O' Malley, Assistant U.S. Attorney  
Maravic David, Assistant U. S. Attorney  
Danilo Aguilar, Attorney for Defendant  
Samuel Rayburn, Defendant

Proceedings: Jury Trial - Day Three

Government by Eric O'Malley and Maravic David, AUSAs. Defendant, Samuel Rayburn was present with counsel, Attorney Danilo Aguilar. Also present were 12 regular jurors and two alternates.

Defense called witness:

**RICHARD JOHN SZUMIEL.** DX. CX. Witness was excused at 9:15 a.m.

Defense rested their case at 9:15 a.m.

Government began their closing argument at 9:17 a.m. and concluded at 9:27 a.m.  
Attorney Aguilar began his closing argument at 9:28 a.m. and concluded at 9:55 a.m.  
Government began final closing argument at 9:55 a.m. and concluded at 10:03 p.m.

Jurors were excused and left the courtroom at 10:03 a.m.

Court recessed at 10:05 a.m. and reconvened at 11:00 a.m.

Outside the presence of the jurors, Court reviewed the verdict form and jury instructions with counsel.

Jurors were brought back into the Courtroom at 11:03 a.m.

Court read instructions to the jurors.

Alternate Jurors were thanked and excused at 11:35 a.m.

Clerk administered the oath to the Bailiffs and the jurors were escorted into the deliberation room at 11:40 a.m. with exhibits and jury instructions.

Jurors were escorted to lunch at 11:45 a.m. and returned to continue deliberation at 1:22 p.m.

At 3:17 p.m. the Court received a note from the jury that they had reached a verdict. All parties were called to return to the Court.

Court reconvened at 3:40 p.m.

Jurors were brought into the Courtroom at 3:43 p.m.

The verdict was read and recorded as follows:

“In the United States District Court for the Northern Mariana Islands, Criminal Case No. 07-00019; United States of America -vs- Samuel Rayburn. VERDICT. We, the jury, render the following unanimous verdict as to Counts One and Two of the Indictment: As to COUNT ONE, Conspiracy to Possess with Intent to Distribute and to Distribute a Controlled Substance, we the jury find the defendant, Samuel Rayburn: NOT GUILTY. As to COUNT TWO, Distribution and Possession with Intent to Distribute a Controlled Substance, we the jury find the defendant, Samuel Rayburn: NOT GUILTY. Signed by the jury foreperson and certified. Dated and signed this date, Saipan, CNMI.

Jurors were polled and the verdict was unanimous.

Jurors were thanked and excused.

Court informed the defendant that he was found NOT GUILTY and any bond was exonerated.

Adjourned at 3:50 p.m.

/s/ K. Lynn Lemieux, Courtroom Deputy